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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,431	09/30/2003	Terry Hamer	29516/38347	6194

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EXAMINER

DAYE, CHELCIE L

ART UNIT

PAPER NUMBER

2161

DATE MAILED: 08/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/675,431	HAMER, TERRY	
	<b>Examiner</b>	<b>Art Unit</b>	
	Chelcie Daye	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-17,37-59 and 67-80 is/are pending in the application.
- 4a) Of the above claim(s) 18-36,60-66 and 81-84 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17,37-59 and 67-80 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/12/04&amp;4/23/04</u> | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. This action is issued in response to Applicant's election filed June 16, 2006.
2. Claims 1-17,37-59,and 67-80 are pending. Claims 18-36,60-66,and 81-84 are withdrawn.

### ***Election/Restrictions***

3. Claims 18-36,60-66,and 81-84 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 6/16/2006.

### ***Information Disclosure Statement***

4. The information disclosure statement (IDS) submitted on 4/12/04 and 4/23/04, were filed after the mailing date of the application on 9/30/2003. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Drawings***

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the specification: "an information network", item 10, found at [0024], lines 1 and 2. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in

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reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Double Patenting***

6. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

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7. Claims 1-17,37-59,and 67-80 of the instant Application No. 10/675,431 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-11 and 21-25 of copending Application No. 10/876,236. Although the conflicting claims are not identical, they are not patentably distinct from each other because both applications disclose managing changes in a relationship management system.

8. The following table shows claims 1-17,37-59,and 67-80 of the instant Application No. 10/675,431 that are rejected by corresponding claims 1-11 and 21-25 in co-pending Application No. 10/876,236.

Claim Comparison Table

<u>10/675,431</u>	<u>10/876,236</u>
Claims 1-17,37-59,67-80	1-11,21-25

9. Regarding Claims 1-17,37-59,67-80, of the instant application, independent claim 1 is anticipated by claim 1 of the corresponding application, wherein the instant application claim encompasses the corresponding application claim, rendering the claims not patentably distinct. As a result, claims 2-17,37-59,67-80, in the instant application, are rejected for being dependent upon the independent claims.

10. This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. **Claims 1-17,37-59,and 67-80 are rejected under 35 U.S.C. 103(a) as being unpatentable over de l'Etraz (US Patent No. 6,324,541) filed June 5, 2000, in view of Cheah (US Patent No. 7,003,546) filed October 13, 1999.**

Regarding Claims 1,37,54,67-68, and 71, de l'Etraz discloses a relationship management system, comprising:

a first database that stores a plurality of user collections, each user collection including one or more contact files, with the different contact files within a particular user collection having data pertaining to different contacts (Fig.1; columns 19-20, lines 38-67 and 1-38, respectively, de l'Etraz);

a second database that stores a firm collection, the firm collection including a multiplicity of further contact files, wherein each of the multiplicity of further contact files within the firm collection has data associated with one of the contacts for which a contact file exists within at least one of the plurality of user collections (Fig.1; columns 20-21, lines

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40-67 and 1-55, respectively, de l'Etraz). However, de l'Etraz is silent with respect to an administration routine stored in a memory and adapted to be executed on a processor to detect a change made to one of the contact files associated with a particular contact within one or more of the plurality of user collections and to make a corresponding change to the further contact file associated with the particular contact within the firm collection. On the other hand, Cheah discloses an administration routine stored in a memory and adapted to be executed on a processor (column 29, lines 38-59, Cheah) to detect a change made to one of the contact files associated with a particular contact within one or more of the plurality of user collections and to make a corresponding change to the further contact file associated with the particular contact within the firm collection (column 30, lines 43-64, Cheah). De l'Etraz and Cheah are analogous art because they are from the same field of endeavor of storing, processing, and displaying contact information. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Cheah's teachings into the de l'Etraz system. A skilled artisan would have been motivated to combine as suggested by Cheah at column 2, lines 47-61, in order to control the use of corporate and user information, by updating previous information, facilitating registration, and disabling certain users from further use. As a result, improving approaches to automatically distribute and update contact information.

Regarding Claims 2 and 38, the combination of de l'Etraz in view of Cheah, disclose the relationship management system further including a user collection change routine adapted to make a change to a contact file associated with the particular contact within a second one of the user collections based on the change made to the further contact file associated with the particular contact within the firm collection (column 9, lines 45-64, Cheah).

Regarding Claims 3,39,70,and 72, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein the administration routine is further adapted to provide a message to a firm administrator (column 29, lines 38-59, Cheah) reflecting the nature of the detected change made to one of the contact files associated with a particular contact within one or more of the plurality of user collections (columns 25-26, lines 52-67 and 1-3, respectively, Cheah).

Regarding Claims 4,40,55,and 73, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein the administration routine is further adapted to enable the firm administrator to accept or reject the corresponding change before the administration routine makes the corresponding change to the further contact file associated with the particular contact within the firm collection (column 22, lines 8-50, Cheah).



Regarding Claims 5,41,and 56, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein the administration routine includes a rule database that stores rules pertaining to the manner in which the detected change is to be processed (columns 19-20, lines 62-67 and 1-10, respectively, Cheah).

Regarding Claims 6,42,and 57, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein the rules are changeable by the administrator (column 23, lines 30-39, Cheah).

Regarding Claims 7,43,and 58, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein the administration routine is further adapted to process the detected change to detect a suspected error within the detected change (column 24, lines 24-35, Cheah).

Regarding Claims 8,44,and 59, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein the administration routine is further adapted to provide a message to a firm administrator reflecting the nature of the suspected error within the

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detected change (columns 14-15, lines 66-67 and 1-8, respectively, Cheah).

Regarding Claims 9,45,and 74, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein each of the user collections includes a change attribute that specifies a manner in which a change made to the firm collection is to be reflected within the user collection (column 30, lines 43-64, Cheah).

Regarding Claims 10,46,and 75, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein the change attribute, when set to a first value, specifies that a change to the firm collection is to be automatically made to the user collection (column 23, lines 40-47, Cheah).

Regarding Claims 11,47,and 76, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein the change attribute, when set to a first value, specifies that a change to the firm collection is to be reported to a user having access to the user collection for which the change attribute exists (column 30, lines 55-60, Cheah).

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Regarding Claims 12,48,and 77, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein the change attribute, when set to a first value, specifies that a change to the firm collection is to be accepted by the user having access to the user collection for which the change attribute exists before being made to the user collection for which the change attribute exists (column 25, lines 52-67, Cheah).

Regarding Claims 13,49,and 78, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein each of the user collections includes a visibility field that specifies if a change made to a contact file within the user collection is to be shared with the firm collection (columns 20-21, lines 55-67 and 1-9, respectively, Cheah).

Regarding Claims 14,50,and 79, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein each of the contact files includes a plurality of contact information fields and wherein the visibility flag specifies a visibility of one of the contact information fields (Fig.18J; columns 20-21, lines 55-67 and 1-9, respectively, Cheah).

Regarding Claims 15, 51, and 80, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein each of the contact files includes a plurality of contact information fields and wherein the visibility flag specifies a visibility of an entire contact file (Fig. 18J; columns 20-21, lines 55-67 and 1-9, respectively, Cheah).

Regarding Claims 16 and 52, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein the administration routine is further adapted to process the detected change to detect the addition of a contact file for a contact within one of the user collections for which a further contact file already exists within the firm collection (columns 27-28, lines 53-67 and 1-6, respectively, Cheah).

Regarding Claims 17 and 53, the combination of de l'Etraz in view of Cheah, disclose the relationship management system wherein the administration routine is further adapted to process the detected change to detect a user request for an administrator to make a change to the firm collection (column 26, lines 37-44, Cheah).

Regarding Claim 69, the combination of de l'Etraz in view of Cheah, the relationship management system wherein each user collection is accessible by a different user (column 18, lines 28-39, Cheah) and further comprising a display routine, wherein the display routine is adapted to

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display the data pertaining to different contacts stored within each user collection to the user having access to the user collection (Fig.18C; columns 16-17, lines 62-67 and 1-42, respectively, Cheah).


### ***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chelcie Daye whose telephone number is 571-272-3891. The examiner can normally be reached on M-F, 7:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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July 26, 2006

  
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